

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth T. Heruth and Confirmation No. 8232
Keith A. Miesel
Serial No.: 10/825,964
Filed: April 15, 2004 Customer No.: 28863
Examiner: Fangemonique A. Smith
Group Art Unit: 3736
Docket No.: 1023-360US01
Title: DETECTING SLEEP

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via the United States Patent and Trademark Office electronic filing system on March 12, 2010.

By:

Name: Shirley A. Betlach

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop AF
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449.

This statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 1.311 or after any other action that closes prosecution on the application, but before the payment of the issue fee. Enclosed is a check in the amount of \$180.00 for the fee set forth in 37 C.F.R. § 1.17(p). This statement is submitted as certified below under 37 C.F.R. § 1.97(e)(2) by the undersigned.

Certification Under 37 C.F.R. § 1.97(e)(2)

In accordance with 37 C.F.R. § 1.97(c) or § 1.97(d), the undersigned hereby certifies that to the knowledge of the undersigned after making reasonable inquiry, that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

Respectfully submitted,

Date:

3-12-10

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